

### REMARKS

Claims 7, 18, 19, 36, 41, 51 and 120-144 are pending, with claims 18 and 19 having been allowed. Applicant has amended claims 7, 36, 41, 51, 126, 139, and 142 to correct apparent typographical errors and to define Applicant's invention with greater particularity. Applicant has also added claims 145-154. The amendments do not raise any issues of new matter and the amended claims do not present new issues requiring further consideration or search. Support for the added claims may be found in the claims as originally filed and in the specification at paragraphs [0128] and [0129]. Accordingly, upon entry of this communication, claims 7, 18, 19, 36, 41, 51 and 120-163 will be under consideration.

#### **Rejection under 35 U.S.C. §112, First Paragraph**

Applicant respectfully traverses the rejection of claims 7, 36, 41, 51 and 120-144 under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor had possession of the claimed invention at the time the application was filed. Applicant has amended claims 7, 36, 41, 51 to correct a typographical error. It is believed that the error occurred as a result of a computer conversion, which resulted in non-recognition of the font used for the "Δ" character. Support for the amended claims may be found, among others, at paragraphs 0130-0133. Accordingly, withdrawal of the rejection is respectfully requested.

#### **Rejection under 35 U.S.C. §112, Second Paragraph**

Applicant respectfully traverses the rejection of claims 7, 36, 41, 51 and 120-144 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As discussed above, Applicant has amended claims 7, 36, 41, 51 to correct a typographical error. It is believed that the error occurred as a result of a computer conversion, which resulted in non-recognition of the font used for the "Δ" character. Support for the amended claims may be

found, among others, at paragraphs 0130-0133. Accordingly, withdrawal of the rejection is respectfully requested.

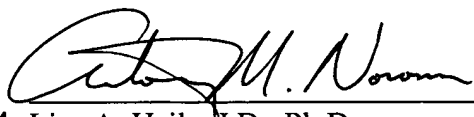
**Conclusion**

In summary, for the reasons set forth herein, Applicants submit that claims 7, 18, 19, 36, 41, 51 and 120-154 clearly and patentably define the invention, and respectfully request that the Examiner withdraw all rejections and pass the application to allowance. If the Examiner would like to discuss any of the issues raised in the Office Action, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Check number 582948 in the amount of \$1,020.00 is enclosed as payment for the Request for Continued Examination (RCE) (\$395.00); the two-month Petition for Extension of Time fee (\$225.00) and for the four (4) additional independent claims listed in the Preliminary Amendment (\$400.00). No other fee is believed due in connection with the filing of this document. However, the Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 07-1896 referencing the above-identified attorney docket number. A duplicate copy of this Transmittal sheet is enclosed.

Respectfully submitted,

Date: August 14, 2006

  
for Lisa A. Haile, J.D., Ph.D.  
Reg. No. 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

Reg. No.  
45,517

**USPTO Customer Number 28213**  
DLA PIPER RUDNICK GRAY CARY US LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133